

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 11582 of 1994

Between:

B.V.S.S.Surya Prakash, S/o. B.Appa Rao, aged 25 years,
R/o. D.No.590/2, Jail Area, Visakhapatnam District 530 004

..... PETITIONER

AND

- 1 Bharat Petroleum Corporation Ltd., represented by its
Managing Director, Bharat Bhavan 4 & 6, Currimbhoy Road, Ballard District,
Bombay-400 038
- 2 Chief Personal Manager, Bharat Petroleum Corporation Ltd.,
Madras.
- 3 Dist. Employment Officer, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ, order or direction particularly a writ in the nature of Certiorari by calling for records in PD.M.SR.BVSS.CON., dated 10/06/1994 of the 2nd respondent and by quashing the same order the Petitioner's reinstatement together with back-wages continuity of service and all other attendant and consequential benefits and pass

For the Petitioner: DR.P.B.VIJAY KUMAR, Advocate

**For the Respondent Nos. 1 and 2 .: MR.K.SRINIVASAMURTHY,
Advocate**

For the Respondent No.3: Govt. Pleader for Higher Education

The Court made the following :

ORDER

This Writ Petition is filed by the petitioner seeking a direction in the nature of Writ of Certiorari by calling for records in No. PD.M.SR. BVSS.Con., dated 10-06-1994 of 2nd respondent and quash the same order and for consequential direction to the 2nd respondent to reinstate the petitioner together with back-wages, continuity of service and all other attendant and consequential benefits.

The grievance of the petitioner is that after due process the respondents 1 and 2 have appointed the petitioner as Assistant-III in their office at Visakhapatnam. But, subsequently on 10-06-1994 his services were terminated with immediate effect basing on the information furnished by the 3rd respondent i.e. District Employment Officer. According to the petitioner everything was done behind his back and he does not know the reasons why his services are terminated.

From the perusal of the impugned order, dated 10-06-1994, the petitioner was selected by the respondents 1 and 2 as a candidate sponsored by the District Employment Exchange, but on 19-08-1993 the District Employment Officer, who is added as 3rd respondent, has informed the respondents 1 and 2 to the effect that the petitioner's name was never sponsored and his name was apparently inserted in a fraudulent manner in the place of one B.Srinivasa Rao. Subsequently, on the basis of the preliminary investigation carried out by the respondents 1 and 2, it was confirmed that the petitioner has secured wrongful employment in the Corporation and thus his services were terminated by the impugned order dated 10-06-1994. Further, though initially an interim order was granted, subsequently the same was vacated by this Court on 31.1.1995.

In that view of the matter, I see no merits in this writ petition and accordingly this writ petition is dismissed. No costs.

4th November, 2004

vp

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Managing Director, Bharat Petroleum Corporation Ltd., Bharat Bhavan
4 and 6, Currimbhoy road, Ballard District, Bombay-400 038
2. The Chief Personal Manager, Bharat Petroleum Corporation Ltd., Madras,
3. The District Employment Officer, Visakhapatnam,
4. 2 C.Cs to Govt. Pleader for Higher Education, High Court buildings,
Hyderabad (O.U.T.)
5. 2 C.D. copies.